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Attorneys for DEFENDANT eBay, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MICHELE MAZUR, On Behalf of Herself
and all Others Similarly Situated,

Plaintiff,

v.

EBAY, INC., HOT JEWELRY
AUCTIONS.COM d/b/a JEWELRY
OVERSTOCK AUCTIONS, HOT
JEWELRY AUCTIONS.COM d/b/a
PARAMOUNT AUCTIONS, NIEMANS
JEWELRY, GOANTIQUES.COM, INC., and
DOES 1-100, inclusive,

Defendants.

Case No. C07 3967 MHP

**[PROPOSED] ORDER GRANTING MOTION
TO DISMISS**

Date: July 7, 2008
Time: 2:00 pm.
Judge: Hon. Marilyn H. Patel
Trial Date: Not yet set

The motion of defendant eBay Inc. to dismiss counts 7, 35, 36, and 37 of the First Amended Complaint pursuant to Federal Rules of Civil Procedure 12(B)(6) came on for hearing before this court on July 7, 2008. After consideration of the briefs filed in connection with this motion, the arguments of counsel, and all other matters presented to the Court, IT IS HEREBY ORDERED THAT defendant's motion to dismiss with prejudice is granted.

1 Dated:

2 Hon. Marilyn H. Patel
3 United States District Judge
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